

REFERENCE TITLE: **vicious animals; attacks**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2447

Introduced by

Representatives Lujan, Aguirre A, Gallardo, Garcia M, Landrum Taylor,
Mason, McCune Davis, Sinema: Bradley, Lopez L, McComish, Meza, Prezelski

AN ACT

AMENDING SECTION 13-1208, ARIZONA REVISED STATUTES; RELATING TO VICIOUS ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-1208, Arizona Revised Statutes, is amended to
3 read:

4 13-1208. Assault: vicious animals; classification; exception;
5 definition

6 A. A person who owns a dog ~~which~~ THAT the owner knows or has reason to
7 know has a propensity to attack, to cause injury or TO otherwise endanger the
8 safety of human beings OR DOMESTIC OR PET ANIMALS without provocation or
9 ~~which~~ THAT has been found to be a vicious animal by a court of competent
10 ~~authority, which~~ JURISDICTION AND THAT bites, inflicts physical injury on or
11 attacks a human being OR A DOMESTIC OR PET ANIMAL while at large is guilty of
12 a class 6 felony, EXCEPT THAT A SECOND OR SUBSEQUENT VIOLATION OF THIS
13 SECTION IS A CLASS 5 FELONY.

14 B. A person who owns a dog ~~which~~ THAT the owner knows or has reason to
15 know ~~that the dog~~ has a propensity to attack, to cause injury or TO otherwise
16 endanger the safety of human beings OR DOMESTIC OR PET ANIMALS without
17 provocation or ~~which~~ THAT has been found to be a vicious animal BY A COURT OF
18 COMPETENT JURISDICTION and who keeps the dog or vicious animal in an enclosed
19 area or yard outside of a residence or structure on the property shall post a
20 notice indicating the presence of the dog or vicious animal.

21 C. ON CONVICTION OF A VIOLATION OF THIS SECTION, THE COURT SHALL ORDER
22 THE OWNER TO DO BOTH OF THE FOLLOWING TO THE DOG OR VICIOUS ANIMAL THAT
23 ATTACKED, CAUSED INJURY OR OTHERWISE ENDANGERED THE SAFETY OF A HUMAN BEING
24 OR DOMESTIC OR PET ANIMAL AND TO ANY OTHER DOG OR VICIOUS ANIMAL THAT THE
25 PERSON OWNS OR THAT IS OWNED BY ANOTHER PERSON WHO RESIDES IN THE OWNER'S
26 HOUSEHOLD:

27 1. HAVE A MICRO CHIP PLACED IN EACH ANIMAL AND MAINTAIN THE
28 REGISTRATION OF EACH MICROCHIP.

29 2. SURGICALLY ALTER EACH ANIMAL TO PREVENT THE ANIMAL FROM
30 PROCREATING.

31 D. ~~The provisions of~~ This section ~~shall~~ DOES not apply to dogs
32 THAT ARE owned or used by a law enforcement agency and ~~which~~ THAT are used in
33 the performance of police work.

34 E. FOR THE PURPOSES OF THIS SECTION:

35 1. "DOMESTIC OR PET ANIMAL" MEANS AN ANIMAL THAT THE OWNER BOTH:

36 (A) KEEPS AS A PET AND THAT IS OF THE TYPE AND NATURE THAT IS
37 ORDINARILY KEPT AS A HOUSEHOLD PET.

38 (B) AT THE TIME OF THE ATTACK, HAD CONFINED ON A LEASH OR IN AN
39 ENCLOSED AREA OR YARD OUTSIDE THE OWNER'S RESIDENCE OR STRUCTURE ON THE
40 OWNER'S PROPERTY.

41 2. "MICROCHIP" MEANS A DEVICE THAT CONTAINS INFORMATION ABOUT THE
42 ANIMAL AND THE OWNER AND THAT, AT A MINIMUM, ALLOWS LAW ENFORCEMENT TO
43 IDENTIFY THE ANIMAL AND THE OWNER EITHER DIRECTLY OR THROUGH THE MICROCHIP
44 MANUFACTURER OR VENDOR.